

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

April 10, 2014

5:30 P.M.

AGENDA

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent:

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on March 27, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending April 2, 2014 in the amount of \$ **253,866.06** and April 9, 2014 in the amount of \$ **270,213.09** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of March 27 – April 9, 2014
- Report from the Building Inspector's office April 8, 2014
- Report of the Work Session of the Common Council held on April 3, 2014

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending April 4, 2014 in the amount of \$ 587,723.36 and April 11, 2014 in the amount of \$ 686,363.60 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor _____; Seconded by Councilor _____

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

6. PERSONS ADDRESSING COUNCIL:

7. OTHER ITEMS:

A. ADOPTION OF LOCAL LAW P-2 OF 2014

RESOLVED: Local Law P-2 of 2014 amending City Charter Section C2-2 and Superseding Public Officer's Law §3 Regarding Residency and Other Qualifications for City Officers. A copy of said local law is made part of the minutes of this meeting.

1. City Charter Section C2-2 is amended and restated to read as follows:

§C2-2. Eligibility of city officers.

1. No person shall be elected to the office of Mayor or City Councilor, or appointed to fill a vacancy in such position (s), unless he shall have been for at least thirty (30) days prior to such election or appointment a resident elector of said city, and the election or appointment of any person not so qualified shall be void. Whenever any such officer of said city shall cease to be a resident of said city, or of the district or ward for which he was elected or appointed, his office shall hereby become vacant.
2. No person shall be appointed City Judge or Corporation Counsel unless he shall have been admitted to practice law before the courts of the State of New York at least five (5) years prior to his appointment.
3. Except for the office of Mayor or City Councilor, Public Officers Law §3, which requires that a person appointed to a local office reside within the locality at the time of their appointment and during their tenure in office, is hereby superseded.

4. Qualifications for appointment to and holding City office, including residency requirements, if any, may be adopted by local law or ordinance.

2. This local law shall take effect immediately upon filing with the Secretary of State.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves amending the management pay scale to add the position of Director of Information Technology and to correct and ratify prior hiring rates, per the attached memo.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2014-08 "Supplying of Ready Mix Concrete" be awarded to Graymont Materials NY Inc. for a total estimated cost of \$38,600.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

D. RESOLVED: In accordance with the request therefore the Common Council approves an agreement with AES Northeast for "Cumberland Avenue Pump Station-Electrical Upgrade." The total estimated amount for all of the services is \$18,052 plus reimbursables.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

E. RESOLVED: In accordance with the request therefore the Common Council approves that the Apostles of Life, an unincorporated association affiliated with Our Lady of Victory Church, be granted permission to hold a prayer vigil in three parking spaces on the south side of Brinkerhoff Street opposite the Planned Parenthood clinic at 65 Brinkerhoff on April 18, 2014 between the hours of 10:00 am and 11:00 am.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

F. RESOLVED: In accordance with the request therefore the Common Council approves The Pepper located at 13 City Hall Place to use two parking spaces in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

G. RESOLVED: In accordance with the request therefore the Common Council approves Dana's Downtown Grill located at 14 Margaret Street to use three parking spaces in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

H. RESOLVED: In accordance with the request therefore the Common Council approves Olive Ridley's located at 37 Court Street to use two parking spaces in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

I. RESOLVED: In accordance with the request therefore the Common Council approves Irises Café & Wine Bar located at 20-22 City Hall Place to use three parking spaces in front of 16-24 City Hall Place (Irises Café Wine Bar and DeLish by Irises) for outdoor dining seating. The owners would like to use the concrete barriers as in past years. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

J. RESOLVED: In accordance with the request therefore the Common Council approves Aleka's Restaurant LLC located at 103 Margaret Street to use two parking spaces in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are

prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

K. RESOLVED: In accordance with the request therefore the Common Council approves the Champlain Wine Company located at 8 City Hall Place to use one parking space in front of their establishment for outdoor dining seating. The owners will contact Concrete Supply or similar and are prepared to purchase concrete barriers. The City is asked to permit the licensee to use concrete barricades with the City installing and removing at the beginning and end of the season. The City will be reimbursed for these services and the cost shall be determined by the Department of Public Works. The requested dates are from May 1, 2014– September 30, 2014.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

L. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to make budget amendments to the Water and Sewer Funds to appropriate the funding for Capital Projects H8320.75 and H8130.60 approved in March 27, 2014 Common Council resolutions.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

M. RESOLVED: In accordance with the request therefore the Common Council approves Melissa Peck of the Clinton County Historical Association to hold the “I Love Clinton County Artists” art show on October 12, 2014 in the Community Room at the City Recreation Center from 9am-5pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

N. RESOLVED: In accordance with the request therefore the Common Council approves Cathlyn Lamitie of Hospice of the North Country to hold a Memorial Butterfly Release on Saturday June 7, 2014 at Melissa Penfield Park from 10am-12pm.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves one Police Officer to attend “Law Enforcement Training Directors of NYS Spring Conference” in Lake Placid, NY from May 13-16, 2014 at a cost not to exceed \$539.24 and will be expensed to Asset Seizure Fund (training expenses).

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O’Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

B. RESOLVED: In accordance with the request therefore the Common Council approves a civilian employee to attend “New York Statewide TraCs Lead Agency users Meeting” in Syracuse, NY from May 19-20, 2014 at a cost not to exceed \$333.76 and will be expensed to Asset Seizure Fund (training expenses).

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Calnon to attend the "NYCOM 105th Annual Meeting" in Saratoga Springs, NY from May 4 – 6, 2014 at a cost not to exceed \$900.

By Councilor _____; Seconded by Councilor _____

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

ACTION TAKEN: Adopted _____ Defeated _____ Withdrawn _____ Tabled _____

Follow up Action:

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. A resolution in Opposition to County Election Charge-Backs to Municipalities.

10. NEW BUSINESS:

11. CLOSING PUBLIC COMMENTS:

Motion to Adjourn by Councilor _____; Seconded by Councilor _____
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser
MEETING ADJOURNED: _____